

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5426 of 2015

- Sudarshan Kol, son of Late Matru Kol, aged about 48 years, resident of Chakethi, Police Station Chachai, Civil and Revenue District Anuppur (M.P).

---- Applicant

Versus

- State of Chhattisgarh through the the Station House Officer Police Station Patna, District Koriya (Chhattisgarh).

For the applicant	:	Mr. Suryakant Mishra, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.10.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 97/2015 registered at P.S. Patna, District Koriya (C.G) for the offence punishable under Sections 363, 366, 368 and 376 IPC and sections 7, 17, 18, 19 & 21 of Protection of Children from Sexual Offences Act, 2012.
2. The case of the prosecution, in brief, is that co-accused abducted the minor prosecutrix and stayed in the house of another accused Pritam Kol where other co-accused persons committed sexual intercourse with her.
3. Learned counsel for the applicant submits that there is no allegation of rape against the present applicant and he is father of the boy who is co-accused, against whom the allegation of abduction and rape were made. He further submits that the applicant is in jail since 07.09.2015 and the charge sheet has been filed and therefore, he prays that the applicant be released on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Taking into consideration the facts and circumstances of the case and the role of the present applicant in the offence in

question and further considering the fact that there is no allegation of rape against the present applicant, and the charge sheet has already been filed and other co-accused have been enlarged on bail, I am inclined to release the present applicant on bail. Accordingly, this application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE